

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

GREGORY P. KEITH,

Petitioner,

v.

BARRY D. DAVIS,

Respondent.

CASE NO. 2:09-14133

HONORABLE PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

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**ORDER GRANTING PETITIONER AN EXTENSION OF TIME TO FILE  
A REPLY TO THE RESPONDENT'S ANSWER.**

Before the Court is Petitioner's *ex parte* motion for stay of proceedings, in which he essentially asks the Court to stay the proceedings until he could obtain the necessary records and copies of documents. The Court construes the motion as an extension of time to file a reply to respondent's answer. On June 4, 2010, petitioner filed a reply to respondent's motion to dismiss. Petitioner has also filed several other pleadings in support of his petition, the last of which was filed on August 5, 2010.

The Court will grant petitioner an extension of time to file his reply brief to the respondent's answer and will rule that his reply brief and other pleadings were timely filed. Rule 5(e) of the Rules Governing § 2254 Cases, 28 U.S.C. foll. § 2254 states that a habeas petitioner "may submit a reply to the respondent's answer or other pleading within a time fixed by the judge." *See Baysdell v. Howes*, 2005 WL 1838443, \* 4 (E.D. Mich. August 1, 2005).

**IT IS HEREBY ORDERED** That petitioner's *ex parte* motion for stay of proceedings [Dkt. # 2] is **GRANTED IN PART**. **The Court will order that petitioner's reply brief and other**

**documents were timely filed.**

**SO ORDERED.**

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: September 7, 2010

**CERTIFICATE OF SERVICE**

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 7, 2010.

S/Denise Goodine  
Case Manager